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General Assembly

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International Law Commission
Fifty-first session
Geneva, 3 May–23 July 1999
Item 1 of the provisional agenda

Filling of casual vacancies in the Commission

Note by the Secretariat

Addendum

I. List of candidates

1. Subsequent to the list of candidates issued in document A/CN.4/494/Add.1, the Secretariat has received the nomination of the following candidate:

Mr. Salifou Fomba (Mali)

2. The curriculum vitae of the above candidate is contained in section II below.

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II. Curriculum vitae of the candidate

Salifou **Fomba** (Mali)

Date of birth: 17 June 1954.

Place of birth: Dioila (Mali).

Marital status: Married, three children.

Present functions

Professor of International Law at the University of Mali.

Technical adviser for international organizations at the Ministry of Foreign Affairs and of Malians Abroad.

Consultant to the International Committee of the Red Cross.

Expert attached to the technical assistance programme for third countries and in connection with humanitarian or food aid from the European Union.

Functions in the field of human rights and humanitarian law

At the international level

1994:

Appointment by the Secretary-General of the United Nations, on 26 July, as a member of the impartial Commission of Experts on Rwanda established pursuant to Security Council resolution 935 (1994) to examine information on grave violations of international humanitarian law committed in the territory of Rwanda, including possible acts of genocide. The appointment was made on the basis of criteria defined by the Secretary-General in his report to the Security Council on the establishment of the Commission of Experts (S/1994/879) dated 26 July 1994, namely: the professional competence of the experts, in particular in the fields of human rights, humanitarian law and criminal law, and their integrity and impartiality.

Designation as Rapporteur of the impartial Commission of Experts.

Participation for four months (from August to November) in the work of analysing information and conducting investigations in the field, particularly in Rwanda and certain neighbouring countries.

Played a very active role in the gathering of evidence of grave violations of international humanitarian law and acts of genocide committed against the Tutsi ethnic group by Hutu elements.

Made a major contribution to the analysis of the legal aspects of questions of individual criminal liability and the appropriate jurisdiction in the case of Rwanda.

Made an outstanding contribution to the preparation of the two reports submitted to the Security Council of 4 October 1994 (S/1994/1125) and 9 December 1994 (S/1994/1405).

Since 1994

Member of the "Fundamental Rights of the Human Person" network of the Association of Partially or Wholly French-Language Universities (AUPELF) - Universités des réseaux d'expression française (UREF).

Participated in several international meetings dealing, in particular, with civil and political rights.

At the national level

1992–1993

Legal Counsel to the Ministry of Human Rights of Mali.

Played an important role in developing and implementing the national policy for the promotion and protection of human rights.

Since 1997

Professor of international humanitarian law at the Faculty of Law of the University of Mali.

Affiliations

Member of the Association Malienne pour le Droit International Humanitaire (Malian Association for International Humanitarian Law).

Member of the Association Malienne des Droits de l'Homme (Malian Association for Human Rights).

Member of the Observatoire de la Démocratie et des Droits de d'Homme (Observatory for Democracy and Human Rights).

Member of the Observatoire des Droits de la Femme et de l'Enfant (Observatory for Women's and Children's Rights).

Principal publications on human rights and humanitarian law

Interim report of the United Nations Commission of Experts on Rwanda established in accordance with Security Council resolution 935 (1994) (S/1994/1125) (as Rapporteur).

Final report of that Commission (S/1994/1405) (as Rapporteur).

Les droits fondamentaux de la personne humaine, 1996.

Le concept d'humanité en droit international, 1988.

Les droits de l'homme à l'aube du 21è siècle: bilan et perspectives, 1995.

Le droit au développement en tant que droit de l'homme, 1997.

Le Comité des droits de l'homme de l'ONU et son oeuvre, 1997.

Le principe de la liberté électorale en droit international africain: consécration et contrôle, 1995.

Les mécanismes procéduraux de la Commission africaine des droits de l'homme et des peuples, 1991.

L'ONU crée un Haut Commissariat aux Droits de l'Homme, 1994.

Aide au développement et respect des droits de l'homme, 1993.

Quarante-cinq ans après la Déclaration universelle: l'attitude du Mali à l'égard des droits de l'homme, 1993.

Le droit d'ingérence humanitaire: à propos de l'action de l'ONU en Somalie, 1992.

Aide au développement de la démocratie: la CEE et la lutte contre l'enrichissement frauduleux des dirigeants des pays du groupe d'Etats d'Afrique, des caraïbes et du Pacifique (ACP), 1993.

L'expulsion des Maliens de France: les droits et devoirs des gouvernements français et malien, 1991.

L'Affaire des Maliens de l'esplanade de Vincennes à Paris à la lumière du droit international, 1992.

Le comportement des Maliens à l'étranger et la responsabilité de l'Etat en matière de protection diplomatique, 1992.

A propos de l'assassinat de cinq enfants maliens au Congo: les droits et devoirs des gouvernements malien et congolais, 1994.

L'affaire des enfants maliens du Congo à la lumière de la Convention des Nations Unies de 1990 sur les droits des travailleurs migrants et de leurs familles, 1994.

L'affaire du Consul suisse tué au Mali: les droits et devoirs du Mali, du Consul et de la Suisse, 1995.

Le procès crimes de sang de l'ancien Président du Mali et de ses 32 co-accusés, 1993.

A propos de l'affaire Bozano: la France condamnée par la Cour européenne des droits de l'homme pour mauvaise conduite lors d'une procédure d'expulsion, 1991.

Visas et cartes de séjour dans les pays de l'Europe sans frontières de 1993, 1993.

A propos des crimes contre l'humanité, 1992.

Un tribunal pénal international pour l'Ex-Yougoslavie, 1993.

Vers un tribunal pénal international permanent, 1993.

Le projet de cour criminelle internationale permanente de la Commission du droit international des Nations Unies, 1995.

Le Code des crimes contre la paix et la sécurité de l'humanité, un texte historique, 1996.

La Commission d'enquête de l'ONU sur le génocide au Rwanda, 1997.

Droit international humanitaire et opérations de maintien de l'ordre, 1997.

L'application du droit international humanitaire et les sanctions en cas de violations, 1997.

Droits de l'homme et conflits ethniques en Afrique: le cas du Rwanda, 1997.

Inventaire de la législation malienne par rapport aux normes du droit international humanitaire, 1997.

La répression des infractions au droit international humanitaire dans la législation malienne, 1997.

La Responsabilité de l'Etat en matière de garantie des droits économiques, sociaux et culturels: nature et limites, 1998.

Functions in the field of international law

At the international level

From 1992 to 1996

Member of the International Law Commission of the United Nations as an independent expert.

Active participation in all sessions of the International Law Commission held at Geneva during this five-year period.

Outstanding contribution to the preparation of the Draft Code of Crimes against the Peace and Security of Mankind.

Member of the Working Group on the International Criminal Court.

Made a significant contribution to the work of the Group.

Since 1990

Member of the International Panel of Conciliators under the United Nations Convention on a Code of Conduct for Liner Conferences.

Since 1993

Associate member of the Institute of International Business Law and Practice of the International Chamber of Commerce, Paris.

Member of the African Society of International and Comparative Law.

At the national level

Since 1995

Professor of Public and Private International Law at the Faculty of Law of the University of Mali, Bamako.

Responsible for lecturing and research on various aspects of international law.

From 1992 to 1993

Legal Counsel to the Ministry of Malians Abroad.

Academic qualifications

1983 Doctorate in International Law *cum laude* at the University of Caen (France).

1979 *Diplôme d'études approfondies* (first post-graduate degree) in international law, University of Rouen, France.

1978 *Maîtrise en droit public* (Master's degree in public law), at the Ecole Nationale d'Administration, Bamako.

1974 *Baccalauréat* (secondary school leaving certificate) in classics, at the Lycée Prosper Kamara (secondary school), Bamako.

1984 Scholarship holder at the Hague Academy of International Law. Certificate of attendance at the course in public international law.

1989 French Government Scholarship. Certificate in Development Counsellors' Training, Institute of Business Administration, Toulouse, France.

1989 United Nations/UNITAR development programme fellowship in international law. Certificate in private international law, Hague Academy of International Law. Certificate in public international law awarded by the International Law Commission, Geneva.

Knowledge of languages

French: perfect command.

English: some knowledge.